ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 88.

An Act for making and maintaining a Road partly by an Archway through the East Side of *Highgate Hill*, communicating with the present Turnpike Road from *London* to *Barnet*, at *Upper Holloway*, in the Parish of *Saint Mary Islington*, and near the Brook below the Fifth Mile Stone, in the Parish of *Hornsey*, in the County of *Middlesex*.

[18th *May* 1810.]

WHEREAS the making and maintaining of a Road partly by an Archway of a sufficient Width and Height for the Passage of Horses, Carriages, and Foot Passengers, through the East Side of *Highgate Hill*, communicating with the present Turnpike Road from *London* to *Barnet* at *Upper Holloway*, in the Parish of *Saint Mary Islington*, and near the Brook below the Fifth Mile-stone, in the Parish of *Saint Mary Hornsey*, in the County of *Middlesex*, would be attended with great public Utility; but the same cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty that it be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *James Aspinall*, *Patrick Crauford Bruce*, *James Boult*, *William Burls*, *Samuel Burrows*, *Anthony Brown*, *George Bowes*, *William Chalklen*, *Henry Churchyard*, *Crew*, *Richard Crouch*, *William Cousins*, Proprietors.

Couſins, Iſaac Cumber, *Card, William Curling* Senior, *William Curling* Junior, *William Dacie, James Davis, John Dudde.l, Percival Evans, Richard Fiſhwick, William Green, John Hunter, Henry William Hawkins, George Hodſon, Hyman Herwitz, Samuel Jones, Samuel Jackſon, George Leyburn, George Loſh, Thomas Lumley, Samuel Medley, Robert Humphrey Marten, Thomas Maltby, Richard Francis Meſtayer, John Oakes, John de Ponthieu, Samuel Phelps, Edward Pidding, Philip Phillips, Theodore Page, Thomas Paton, George Powell, George Prickett, Thomas Pilliner,* Reverend *John Ruſh, John Henry U. Ruegg, Stratford Robinſon,* Reverend *John Reynolds, Taylor Richardſon, Valentine Rutter, James Alexander Randall, George Simſon, Robert Savage, Samuel Staples, Elias Somers,* Reverend *Matthew Surtees, John Surtees, Aubone Surtees, Henry Stokes, John Sargeant, John Smaller, Parker Sedding, Edward Smith, James Townſend, Samuel Terry,* *Tate, Joſeph Petty Toulmin, William Vazie, Robert Wilmott, Robert Wood, Thomas Winder, George Watts, John Wood, Ann Waite, Lewis Wolfe,* and *Alexander Young,* together with ſuch Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, as they or the major Part of them preſent at any General Aſſembly to be holden for the Purpoſes of this Act ſhall nominate and appoint; and their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, being Proprietor or Proprietors of any Share or

Incorporated. Shares in the Road and Archway hereby authorized to be made, ſhall be and are hereby united into a Company for making and maintaining the ſaid Road and Archway paſſable for Horſes, with or without Carriages, and for Foot Paſſengers, according to the Rules, Orders, and Directions herein mentioned and expreſſed; and ſhall for that Purpoſe be one Body

Their Style. Politic and Corporate, by the Name and Style of *The Highgate Archway Company*, and by that Name ſhall have perpetual Succeſſion and a Common Seal, and by that Name ſhall and may ſue and be ſued, and alſo ſhall and may have Power and Authority to purchaſe Lands, Tenements, and Hereditaments, to them and their Succeſſors and Aſſigns, for the Uſe of the ſaid Road and Archway, and Approaches thereto, and for the ſeveral Works hereby authorized to be made, and for the ſeveral other Purpoſes herein mentioned, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain, and alſo to ſell any of the Lands, Tenements or Hereditaments purchaſed for the Purpoſes aforeſaid.

Company to raiſe not more than 40,000l. II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors to raiſe and contribute amongſt themſelves a competent Sum of Money for the Purpoſe of making and maintaining the ſaid Road and Archway, and the ſeveral Works and Conveniences belonging and requiſite thereto, not exceeding the Sum of Forty thouſand Pounds (ſave and except as herein mentioned); and ſuch Sum ſhall be divided into Shares of Fifty Pounds each; and ſuch Shares ſhall be and are hereby veſted in the ſeveral Perſons ſo ſubſcribing, and their Succeſſors, and their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns, to their and every of their proper Uſe and Benefit, proportionably to the Sum or Sums they ſhall ſeverally raiſe and contribute; and all Bodies Politic, Corporate and Collegiate, and all Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe for one or more Share or Shares, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards carrying on and completing the ſaid Works, and other the Purpoſes of the ſaid Subſcription,

ſhall

shall be entitled to and receive the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid of the Profits and Advantages that shall and may arise and accrue by the Tolls and other Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate or Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall advance and pay a proportionable Sum towards carrying on the same, in Manner herein directed and appointed.

Shares to be Personal Property.

III. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate and Collegiate, and all other Person and Persons whomsoever, of and in the said Road and Archway, or the joint Stock or Fund of the said Company of Proprietors, and of the Tolls, Rates, and Duties payable by virtue of this Act, shall be and be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Subscribers to have a Vote for each Share.

IV. And be it further enacted, That every Body Politic, Corporate or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One or more Share or Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, or Assigns, shall have a Vote in the several Assemblies, to be holden as herein appointed for carrying on the same, for every such Share, but not exceeding Five Votes in the Whole, although possessed of more than Five Shares, which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or under the Hand of such other Person, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any General or Special Assembly of the said Company, shall be determined by the Majority of Votes and Proxies then present: Provided nevertheless, that no Person shall give or deliver in Proxies for more than Twenty Shares, the Appointment of which Proxies shall be made according to the Form following:

Form of Appointment of Proxies.

'I of One of the Proprietors of and in the *High-gate* Archway Company, do hereby nominate, constitute, and appoint of to be my Proxy in my Name, and in my Absence to vote or give my Assent or Dissent to any Business, Matter, or Thing that shall be mentioned or proposed at any Assembly of the said Company, in such Manner as he the said shall think proper according to his Opinion and Judgement, for the Benefit of the said Undertaking, or any Thing appertaining thereto. In Witness whereof, I have hereunto set my Hand the Day of

Company may raise an additional Sum if necessary not exceeding 20,000*l.*

V. And be it further enacted, That in case the Money herein-before authorized to be raised, shall be found insufficient for the making, completing and maintaining of the said Road and Archway, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then, and in such Case, it shall and may be lawful to and for the said Company of Proprietors to raise and contribute among themselves in Manner and Form aforesaid, and in such Shares and Pro-

portions as to them ſhall ſeem meet, or to raiſe, by the Admiſſion of new Subſcribers, any further or other Sum or Sums of Money, for completing and perfecting the ſaid Undertaking, not exceeding in the Whole the Sum of Twenty thouſand Pounds; and every Perſon, Body Politic, Corporate or Collegiate, ſubſcribing towards raiſing ſuch further or other Sum or Sums of Money, ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote by himſelf, herſelf, or themſelves, or his, her, or their Proxy or Proxies, in reſpect of every Fifty Pounds of the ſaid additional Sum to be raiſed, not exceeding Five Votes in the Whole, although poſſeſſed of more than Five Shares, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits of the ſaid Undertaking, in Proportion to the Sum he, ſhe, or they, ſhall or may ſubſcribe thereunto, as generally and extenſively to all Intents and Purpoſes, as if ſuch further or other Sum hereby allowed to be ſubſcribed for, and raiſed, had originally been Part of the ſaid Sum of Forty thouſand Pounds.

Power to raiſe Money by Mortgage.

VI. Provided always, That in caſe the ſaid Company ſhall be deſirous of raiſing the ſaid further Sum of Twenty thouſand Pounds, or any Part thereof, by Mortgage of the ſaid Undertaking, it ſhall and may be lawful to and for the ſaid Company to borrow, and take up at Intereſt, all or any Part of the ſaid Sum of Twenty thouſand Pounds, on the Credit of the Tolls ariſing from the ſame, and to aſſign the Property thereof, and the Tolls ariſing, or to ariſe, to the ſaid Company, by virtue of this Act, or any Part thereof, (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Tolls), as a Security for any Sum or Sums of Money to be borrowed, with Intereſt, to ſuch Perſon or Perſons, or to his, her, or their Truſtee or Truſtees, who ſhall advance the ſame; all which ſaid Aſſignments ſhall be made under the Common Seal of the ſaid Company, in the Form, or to the Effect following; (that is to ſay),

Form of Mortgage.

'BY virtue of an Act of Parliament made in the Fiftieth Year of the 'Reign of King *George* the Third, intituled, [*here ſet forth the Title 'of this Act,*] We, the *Highgate Archway Company*, incorporated by and 'under the ſaid Act, in Conſideration of the Sum of 'to us in Hand paid by of do hereby 'bargain, ſell, and aſſign unto the ſaid his Heirs, Ex- 'ecutors, Adminiſtrators, and Aſſigns, the Road and Archway made in 'purſuance of the ſaid Act, and all and ſingular the Tolls ariſing, and pay- 'able to us, by virtue of the ſaid Act, and all our Eſtate, Right, Title, and 'Intereſt, of, in, and to the ſame, to hold unto the ſaid 'Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of 'with Intereſt for the ſame, after the Rate of *per Centum per* '*Annum*, ſhall be fully paid and ſatisfied. Given under our Common Seal, 'this Day of

And all Perſons to whom ſuch Aſſignments ſhall be made, ſhall be equally entitled, one with the other, to their Proportion of the ſaid Tolls and Premiſes, according to the reſpective Sums in ſuch Aſſignments mentioned to be advanced, without any Preference by reaſon of Priority of any ſuch Aſſignment, or on any other Account; and a Memorial of every ſuch Aſſignment, containing the Date, Name or Names, Addition or Additions, of the Perſon or Perſons to whom made, the Sum of Money borrowed, and Rate of Intereſt, ſhall within Thirty Days from the Date of every ſuch Aſſignment, be entered in one or more Book or Books to be kept by the Clerk

Clerk to the said Company, which Book or Books shall and may be perused at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking, and any other Persons interested therein, without Fee or Reward: And the Person or Persons to whom any such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time, transfer his, her, or their Right or Interest therein, to any Person or Persons, by Writing under his, her, or their Hand and Seal, or Hands and Seals, in the Form or to the Effect following:

Form of Transfer.

'I of in consideration of the Sum of
'paid by of do hereby transfer a certain
'Mortgage made by the *Highgate Archway Company* to
'bearing Date the Day of for securing the Sum of
'and all Interest now due and to become due thereon, and
'all my Right and Property therein to the said Executors, Administrators, and Assigns. Dated this Day of '.

And every such Transfer shall, within Thirty Days after the Date thereof, be produced to the Clerk of the said Company, who shall cause a Memorial to be made thereof, and entered in such Book or Books in like Manner as of the original Mortgages, or Assignments, and Entry; for which Memorial the Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and every such Entry made of such Transfer, shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage; and the Interest of the Money which shall be borrowed or raised by Mortgage as aforesaid, shall be provided for and paid to the several Persons entitled thereto, before any Interest or Dividends due to the said Company or any of them, shall be made, paid, or divided.

Interest of Money borrowed to be paid in preference of Dividends.

VII. And be it further enacted, That no Sum or Sums of Money so lent and advanced on Mortgage shall be paid off and discharged (save and except with the Consent or Consents of the Person or Persons so lending and advancing such Sum or Sums of Money), unless Six Calendar Months previous Notice, under the Common Seal of the said Company, shall have been given to the Person or Persons lending and advancing such Sum or Sums of Money, or left at his, her, or their last or usual Place or Places of Abode, of such their Intentian to pay off and discharge the same.

Six Months Notice to be given of paying off Money.

VIII. And be it further enacted, That no Person to whom any such Assignment shall be made or transferred as aforesaid, shall be capable of acting or voting by virtue of such Assignment, either as Principal, or by Proxy, at any Assembly or Meeting of the said Company, for or on account of his or her having lent or advanced any Money on the Credit of any such Assignment.

Assignees not to vote on account of having lent Money.

IX. And be it further enacted, That the said Company shall assemble on the Third *Tuesday* after the passing of this Act, at the *George and Vulture* Tavern, *Cornhill*, in the City of *London*, between the Hours of Twelve and Two o'Clock, for the Purpose of putting this Act in Execution, and shall afterwards on the First *Tuesday* in the Months of *November* and *May* in each and every Year, assemble at such Hour and at such Place, within Six

First and General Assemblies.

Miles of the Royal Exchange of *London*, as the ſaid Company ſhall at any Aſſembly appoint; and in caſe no Place or Hour ſhall have been ſo appointed, then ſuch General Aſſembly ſhall be holden at the Hour and at the Place where the then laſt General Aſſembly was holden.

Chairman to be appointed.

X. And be it further enacted, That the ſaid Company at their reſpective Aſſemblies, ſhall and may appoint a Chairman, and ſuch Chairman ſhall not only vote as a Proprietor or Proxy, but in caſe of an Equality of Votes, ſhall have the deciſive or caſting Vote.

For the Appointment of Directors.

XI. And be it further enacted, That at the Firſt General Aſſembly of the ſaid Company, Twelve of the ſaid Perſons and their Succeſſors, being poſſeſſed of Five Shares each at leaſt in the ſaid Undertaking, and being appointed in Manner herein directed, ſhall be and be called *The Directors of the Highgate Archway Company*, and ſhall be Directors for the Management of the Concerns of the ſaid Company; and each and every ſuch Perſon ſhall continue to be a Director of the ſaid Company until the Firſt *Tueſday* in *May*, in the Year of Our Lord One thouſand eight hundred and twelve (ſave and except as herein excepted), and on ſuch Day the Powers of the ſaid Directors ſhall ceaſe and determine; and the ſaid Company ſhall, at their General Aſſembly to be holden on that Day, proceed to the Nomination and Appointment of Twelve Perſons poſſeſſed of Five or more Shares each in the ſaid Undertaking, to be Directors of the ſaid Company for the Year then enſuing, and ſo in like Manner at every enſuing General Aſſembly to be holden on the Firſt *Tueſday* in the Month of *May* in each and every Year; and the Powers of ſuch Directors ſhall continue until the next General Aſſembly to be holden in the Month of *May* as aforeſaid, and ſhall then ceaſe and determine: Provided always, that it ſhall be lawful for the ſaid Company of Proprietors again to nominate and appoint any ſuch Perſon or Perſons ſo going out of Office, to be a Director or Directors of the ſaid Company, but no Perſon not poſſeſſed in his own Name of Five Shares at the leaſt in the ſaid Undertaking, and no Perſon who ſhall be an Auditor of the Accounts, or who ſhall hold any Place, Office, Employment, or Contract, under the ſaid Company, ſhall be capable of being a Director during the Time of his Continuance in ſuch Place, Office, or Employment, or holding ſuch Contract: Provided always, that it ſhall and may be lawful to and for the ſaid Company at any General, Half-yearly, or Special Aſſembly, to be convened in Manner by this Act directed, to remove any One or more of the ſaid Directors, and to nominate another Perſon or Perſons qualified as aforeſaid in the Room or Stead of every Director who ſhall die, be ſo removed, neglect to act, or ſhall hold any Place, Office, Employment, or Contract under the ſaid Company, or ſhall ceaſe to be poſſeſſed in his own Name of Five Shares at the leaſt in the ſaid Undertaking; and every Perſon ſo nominated by the ſaid General or Special Aſſembly, ſhall have the like Power and Authority as if he had been nominated by the ſaid General Annual Aſſembly.

Aſſemblies for chooſing Directors to conſiſt of 150 Shares.

XII. Provided always, and be it further enacted, That if at any ſuch General or Special Aſſembly there ſhall not be Perſons preſent, either as Principals or Proxies, who ſhall be poſſeſſed of or entitled unto at leaſt One hundred and fifty Shares in the ſaid Undertaking, no Choice of Directors ſhall be made at that Time, but in ſuch Caſe the ſaid General Aſſembly of the ſaid Company ſhall be adjourned to, and held at the ſame Place upon that

that Day Fortnight, and so from Fortnight to Fortnight, until there shall be such Persons present at such adjourned Assembly having such Number of Shares as aforesaid, and such Choice of Directors shall then take place, and not before; and of every such adjourned Assembly Ten Days Notice shall be given in Two or more of the *London* Newspapers, and in such other Manner as shall be resolved upon and directed by a Majority of Proprietors who shall be assembled at the Time of such Adjournment; and the Persons then chosen to be such Directors shall have and enjoy the same Powers and Authorities, and shall be subject and liable to the like Rules, Regulations, and Restrictions, as they would have had and enjoyed and been subject and liable to, and shall continue in such Office until such Time as they would have done had they been chosen by any such General Annual Assembly on the Day first appointed for holding the same; and in case of Failure of the assembling of a sufficient Number of Proprietors having such Shares as Principals or Proxies at such Assembly, every Proprietor who shall not attend such adjourned Assembly in Person or by Proxy, shall forfeit and pay to the said Company for every Share which he or she shall possess in the said Undertaking the Sum of Ten Shillings, to be deducted out of his or her next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking (as the Case may happen), and in case no Interest or Dividends shall be payable to such Person or Persons making Default as aforesaid, within Twelve Calendar Months next after the making of such Default, then and in such Case such Penalty and Forfeiture of Ten Shillings shall and may be levied and recovered by such Ways and Means as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

No Director, &c. to be concerned in any Contract, &c.

XIII. And be it further enacted, That no Director, or any Person in any Manner connected in Business as Partner with any such Director, shall hold any Contract, or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Company; and in case any such Director, or any Person in any Manner connected in Business as Partner with such Director (with or without the Privity and Knowledge of such Director) shall hold any Contract, or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner interested or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Company, every such Director shall forfeit and pay for every such Offence the Sum of One hundred Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Imparlance shall be allowed; and One Moiety of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Company, to be applied to the Purposes of this Act.

Proprietors may make Bye-Laws.

XIV. And be it further enacted, That it shall be lawful for the said Company at their First or any other General or Special Assembly, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof, and to make such Bye Laws, Rules and Orders, for the good Government of the said Company, and of their Directors, and of

their

their Agents, Servants, or Workmen, and for the whole, complete, and total Superintendance and Management of the ſaid Undertaking, and of the ſeveral Perſons who ſhall paſs through ſuch Archway, with or without any Horſe or Carriage, and from Time to Time to repeal, and to amend, vary, or alter all or any of ſuch Bye Laws, Rules and Orders, as to them the ſaid Company ſhall ſeem moſt fitting and requiſite, and to fix and appoint Fines and Penalties not exceeding Five Pounds, for the Non-obſervance, or other Breach, of any ſuch Bye Laws, Rules and Orders, or any Part or Parts of them; and the ſaid Company ſhall cauſe all ſuch Bye Laws, Rules and Orders, when reduced into Writing, under the Common Seal of the ſaid Company, from Time to Time to be printed; and all ſuch Bye Laws and Orders, as ſhall concern or relate to the ſeveral Perſons paſſing through ſuch Archway, ſhall be painted upon a Table or Tables, Board or Boards, which Table or Tables, Board or Boards, ſhall be fixed or put in ſome conſpicuous Place or Places near to the ſaid Archway, and ſuch Table or Tables, Board or Boards, when ſo fixed or put up, ſhall be, and be deemed to be, full and concluſive Evidence of Notice of all ſuch Bye Laws, Rules and Orders, to all Perſons whomſoever; and all ſuch Bye Laws, Rules and Orders, ſhall be binding upon, and obſerved by all Parties uſing, or in any way concerned in the ſaid Archway, or any of the Roads or Works thereunto belonging, and ſhall be ſufficient in any Court of Law or Equity, to juſtify all Perſons who ſhall act under the ſame; provided that ſuch Bye Laws, Rules and Orders, be not inconſiſtent with, or repugnant to, the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Directions and Proviſions in this Act contained, or to any of them; and all ſuch Bye Laws, Rules and Orders, ſhall be ſubject to Appeal in Manner herein directed.

Accounts of Money to be laid before the General Aſſemblies of the Company.

XV. And be it further enacted, That all Accounts of Money laid out and diſburſed on Account of the ſaid Undertaking, by the ſaid Directors, or by the Treaſurers, or Collectors of the Tolls, and other Officers by them appointed, or by any other Perſon or Perſons whomſoever, employed by, or concerned for, or under them, ſhall be laid before the ſeveral General Aſſemblies of the ſaid Company to be holden by virtue of this Act, in order that the ſame may be audited and ſettled; but no Vote or Votes by Proxy ſhall be given, or have any Power in, or as to, the Audit and Settlement of Accounts.

Company may adjourn at their ſeveral Aſſemblies.

XVI. And be it further enacted, That the ſaid Company, at their ſeveral General Aſſemblies to be holden by virtue of this Act, ſhall have Power to adjourn themſelves from Time to Time to ſuch Place or Places, as ſhall at ſuch Aſſemblies reſpectively be thought proper and convenient; of which Adjournment due Notice ſhall be given, in ſuch Manner as ſhall be reſolved upon and directed by a Majority of the Proprietors who ſhall be there aſſembled.

Aſſembly of the Company may be ſpecially convened.

XVII. And be it further enacted, That if it ſhall at any Time appear that for the more effectually putting this Act into Execution, a Special Aſſembly of the ſaid Company is neceſſary to be holden, it ſhall and may be lawful to and for any Nine or more of the ſaid Proprietors, who may collectively be poſſeſſed of, or entitled unto, Fifty Shares at the leaſt in the ſaid Undertaking, to cauſe the Clerk of the ſaid Company to give Fourteen Days Notice at leaſt thereof in Two of the *London* Newſpapers, and in ſuch other Manner as the ſaid Company ſhall at any General Aſſembly direct

direct or appoint, ſpecifying in ſuch Notice the Nature of the Buſineſs to be taken into Conſideration at ſuch Special Aſſembly, and the Time when and the Place where the ſame ſhall be holden, which Place ſhall be within Six Miles of the Royal Exchange of *London*; and the ſaid Company are hereby authorized to meet purſuant to ſuch Notice, and ſuch of them as ſhall be preſent at ſuch Special Aſſembly ſhall proceed to the Execution of the Powers by this Act given to the ſaid Company, with reſpect to ſuch Matters as ſhall be ſpecified in ſuch Notice; and all ſuch Acts of the ſaid Company, or of the major Part of them, met together at every ſuch Special Aſſembly (provided ſuch major Part be poſſeſſed of at leaſt Two hundred Shares in the ſaid Undertaking, either as Principals or Proxies, and not otherwiſe) ſhall be as valid with reſpect to the Matters ſpecified in ſuch Notice, as if the ſame had been done at any General Aſſembly.

General Aſſembly to elect and appoint Officers.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Company at any General Aſſembly, and they are hereby authorized and required from Time to Time, to nominate and appoint under the Common Seal of the ſaid Company, a Treaſurer or Treaſurers, an Auditor or Auditors, an Engineer or Engineers, a Surveyor or Surveyors, a Collector or Collectors of the Tolls granted by this Act, and alſo a Clerk or Clerks of the ſaid Company, and alſo to grant to all ſuch Treaſurers, Auditors, Engineers, Surveyors, and other Officers, as to them ſhall ſeem meet, reſpectively, ſuch Salary, and alſo to take from them reſpectively ſuch Security for the due Execution of their reſpective Offices, as the ſaid Company ſhall think proper; and in caſe by reaſon of any Negligence, Miſconduct, or Inability, in any Treaſurer, Auditor, Engineer, or other Officer, to execute their reſpective Offices, it ſhall be requiſite to diſplace or remove him or them, then, and in every ſuch Caſe, it ſhall be lawful for the Proprietors aſſembled at any ſuch General or Special Aſſembly as aforeſaid, to remove any ſuch Treaſurer, Auditor, Engineer, or other Officer; and in caſe any ſuch Treaſurer, Auditor, Engineer, or other Officer, ſhall die, or quit the Service of the ſaid Company, the Directors are hereby authorized and required to appoint any other fit Perſon or Perſons in the Place of the Perſon or Perſons who ſhall ſo die or quit the Service of the ſaid Company; but ſuch Appointment ſhall continue only until the next General or Special Aſſembly of the Company, when the Appointment of ſuch Perſon or Perſons to ſuch reſpective Office or Offices ſhall either be confirmed, or ſuch other fit Perſon or Perſons appointed to ſucceed to ſuch Office or Offices, as the ſaid Company at ſuch General or Special Aſſembly may think proper; provided always, that no Director of the ſaid Company ſhall be entitled to vote in the Appointment of Auditors.

Officers to account.

XIX. And be it further enacted, That all ſuch Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands at ſuch Time and Times and in ſuch Manner as the ſaid Directors ſhall direct, deliver to the ſaid Directors, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts and Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid

Directors, or to such Person or Persons as they respectively shall appoint; and if any such Officer, or Person, shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Directors, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Directors, all Books, Papers, and Writings and other Property, belonging to the said Company, in his or their Custody or Power, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Directors, or as they respectively shall direct or appoint, then and in either of the Cases aforesaid, the said Directors may, and are hereby authorised and empowered to bring or cause to be brought any Action or Actions at Law, or Suit or Suits in Equity, against the Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Monies or other Property, which shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Company, or by the said Directors, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, or Place, wherein such Officer or Officers, Person or Persons, so neglecting or refusing, shall be and reside, such Justice may, and he is hereby authorised and required by a Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons so refusing, or neglecting to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act, or other Property, shall be in the Hands or Possession of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorised and required upon Non-payment or Non-production thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money or the Value of such Property, to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, or the Value of such Property, and the Charges of making and levying such Distress; or if such Officer or Officers, Person or Persons, shall persist in refusing or neglecting to deliver up all such Books, Papers, Writings, and other Property as aforesaid, to the said Company, or to the said Directors, or as they respectively shall appoint, then in any or either of the Cases aforesaid, such Justice shall commit every such Offender to the common Gaol for the County of *Middlesex*, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and make Payment and Retribution as aforesaid, or until he shall compound with the said Directors, and shall have paid such Composition, in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, Writings and other Property as aforesaid, or give Satisfaction in respect thereof to the said Company or to the said Directors: Provided always, that no such Officer or Officers, Person or Persons who shall be committed to the common Gaol for the County of *Middlesex*, for Want

of

of ſufficient Diſtreſs, ſhall be detained in ſuch Gaol by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Powers of the Directors.

XX. And be it further enacted, That no Director ſhall have more than One Vote at any Meeting of the ſaid Directors; and at every Meeting of the ſaid Directors, a Chairman ſhall be choſen by and out of the ſaid Directors, who, in caſe of an Equality of Votes upon any Queſtion which may be agitated at ſuch Meeting of the ſaid Directors, ſhall have the deciſive or caſting Vote, otherwiſe ſuch Chairman ſhall not have or be deemed to have any Vote; and all the Powers and Authorities hereby veſted in or directed to be exerciſed by the ſaid Directors (except ſuch Powers as are hereby directed to be exerciſed by any particular Number of the ſaid Directors) may be done and exerciſed by the major Part of them preſent at their reſpective Meetings, the whole Number preſent being not leſs than Five; and the ſaid Directors ſhall, from Time to Time, make Reports of their Proceedings to the ſaid General Aſſemblies, and if required, to the ſaid Special Aſſemblies of the ſaid Company, and ſhall obey their Orders and Directions; and the ſaid Directors ſhall (ſubject nevertheleſs at all Times to ſuch Orders and Directions as aforeſaid) meet at ſuch Times and Places, and ſhall from Time to Time adjourn themſelves to ſuch other Times and Places as they ſhall think fit; and in order to defray the Expences of their Meetings the ſaid Directors ſhall from Time to Time receive out of the Capital Stock of the ſaid Company, ſuch Sum or Sums of Money as ſhall be allowed, adjuſted and ſettled by the ſaid Company; and the ſaid Directors ſhall and may contract and agree for the Purchaſe of the Lands, Tenements and Hereditaments that may be taken or uſed for the Purpoſes of the ſaid Road and Archway, and the ſeveral Works thereunto belonging, and ſhall and may ſettle, determine and adjuſt, all Matters, Queſtions, and Differences, which ſhall or may ariſe between the ſaid Company and the ſeveral Owners of and Perſons intereſted in any Lands, Tenements, or Hereditaments, which ſhall or may be taken, uſed, damaged, or affected by the Execution of any of the Powers hereby granted; and ſhall and may make and enter into Agreements, Contracts, and Bargains, with the Workmen, Agents, Undertakers, and other Perſons employed or concerned in making and completing the ſaid Road and Archway, and the ſeveral Works thereunto belonging; and the ſaid Directors ſhall (ſubject nevertheleſs to the Orders and Directions of ſuch Aſſemblies as aforeſaid) have full Power and Authority in Manner herein-before directed, and not otherwiſe, to direct and manage all and every the Affairs of the ſaid Company; and the ſaid Directors ſhall, by themſelves or the Clerk or Clerks aforeſaid, keep a full and true Account of all Monies diſburſed and Payments made by the ſaid Directors, and by all and every Perſon or Perſons employed by or under them, and of all and every Sum and Sums of Money which they ſhall receive on Behalf or in Reſpect of the ſaid Undertaking from any Collector or Collectors of the Tolls granted by this Act, or other Officer or Officers, or from any other Perſon or Perſons whomſoever employed in or having any Concerns, Dealings, or Tranſactions with the ſame, or in or with any Part or Parts thereof, and ſhall regularly by themſelves, or the Clerk or Clerks of the ſaid Company as aforeſaid, write, inſert, and enter in a Book or Books to be provided at the Expence of the ſaid Company for that Purpoſe, Notes, Minutes, and Copies (as the Caſe ſhall require) of every Agreement Contract, Bargain, Receipt or Diſburſement, made by or on Behalf of the ſaid Company; and of the ſeveral Surveys, Reports, Orders,

Orders, and Proceedings made relative to the Works; which ſaid Book or Books ſhall be ſigned by the Chairman of the ſaid Directors at their reſpective Meetings, and when ſo ſigned, ſhall be produced and received as Evidence in all Courts whatſoever.

Proprietors to have Acceſs to the Books, &c.

XXI. Provided always, That every Proprietor ſhall and may, at all convenient Times, have Recourſe to all Books, Plans, Reports, Agreements, and other Tranſactions of the ſaid Directors, and ſhall and may peruſe, and inſpect, or take Copies of the ſame, or Extracts therefrom; or may demand and have Copies thereof, or of any Part thereof, paying for every One hundred Words ſo to be copied, the Sum of Sixpence and no more, and ſo in Proportion for any leſs Number of Words, in which caſe the ſaid Clerk to the ſaid Company ſhall certify the ſame to be a true Copy or Extract thereof; and if any ſuch Clerk or Clerks to the ſaid Company ſhall refuſe or neglect to permit any ſuch Proprietor or Proprietors to inſpect or peruſe, or take a Copy or Copies of ſuch Book or Books of Proceedings at all convenient Times and Seaſons, or refuſe or neglect to make any ſuch Copy or Copies, at the Rate or Price aforeſaid, ſuch Clerk ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds.

Power of Directors to make Calls.

XXII. And be it further enacted, That the ſaid Directors ſhall have Power from Time to Time to make ſuch Call or Calls of Money from the Subſcribers to, and the Proprietors of, the ſaid Undertaking, to defray the Expences of and to carry on the ſame, as they the ſaid Directors ſhall find wanting and neceſſary for thoſe Purpoſes, ſo that no ſuch Call ſhall exceed the Sum of Ten Pounds for every One hundred Pounds, and ſo in Proportion for any greater or leſs Share or Intereſt which any Perſon or Perſons ſhall or may be poſſeſſed of, or entitled unto, in the ſaid Undertaking; and ſuch Calls ſhall not be made but at the Diſtance of One Calendar Month at leaſt from each other; and Twenty-one Days Notice at the leaſt ſhall be given of all ſuch Calls in Two or more *London* Newſpapers; and every Owner or Owners of any Share or Shares in the ſaid Undertaking ſhall, and he, ſhe, and they, is and are hereby required to pay his, her, or their rateable Proportion of the Monies to be called for as aforeſaid, to ſuch Perſon or Perſons, and at ſuch Time and Place, as the ſaid Directors ſhall from Time to Time direct and appoint; and if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their rateable or proportionable Part of the ſaid Money ſo called for as aforeſaid at the Time and Place appointed by the ſaid Directors, or within Twenty-one Days next enſuing, he, ſhe, or they, ſo neglecting or refuſing, ſhall forfeit and pay any Sum not exceeding Ten Shillings for every Share which he, ſhe, or they has or have in the ſaid Undertaking; and in caſe ſuch Perſon or Perſons ſhall continue to neglect or refuſe to pay his, her, or their rateable Calls as aforeſaid for the Space of Three Calendar Months next after the Time ſo appointed for Payment thereof, then the ſaid Company or their Directors are hereby empowered to ſue for and recover the ſame in any Court of Law or Equity; or the Perſon or Perſons ſo neglecting or refuſing ſhall, at the Option of the ſaid Company or their Directors, forfeit his, her, or their reſpective Share or Shares in the ſaid Undertaking, and all the Profits and Benefits thereof; all which Shares ſo forfeited ſhall be veſted in the Reſt of the Proprietors in Proportion to their reſpective Intereſts in the ſame; and ſhall or may at the Diſcretion of a General or Special Aſſembly of the ſaid Proprietors, be publicly ſold for their Uſe and Benefit: Provided nevertheleſs, that no ſuch Action ſhall be commenced, or Forfeiture incurred, unleſs Notice of ſuch Call

or Calls in Writing signed by the Clerk of the said Company, shall have been given to, or left at the last or usual Place or Places of Abode of the Proprietor or Proprietors of such Share or Shares respectively, in case such Place or Places of Abode shall be within Twelve Miles of the Royal Exchange of *London*, otherwise such Notice shall and may be sent to the last or usual Place of Abode of such Proprietor or Proprietors respectively by the General Post; and the said Share or Shares shall have been previously declared to be forfeited, at some General or Special Assembly of the said Proprietors.

Directors may allow Interest on Payments in advance.

XXIII. Provided always, and be it enacted, That if any Subscriber or Subscribers to the said Undertaking, shall be minded and desirous to pay or advance into the Hands of the said Directors or of the Person or Persons whom they shall appoint to receive the same, the full Amount of his, her, or their Subscription or Subscriptions, for such Share or Shares, for which he, she, or they may have subscribed, or any Part thereof, not being a less Sum than Fifty Pounds, without waiting for the said Call or Calls to be made; then, and in every such Case it shall and may be lawful for the said Directors to pay or allow to the said Subscriber or Subscribers so paying in Advance as aforesaid, out of the Funds of the said Company, Interest upon the Sum or Sums so advanced, at the Rate of Five Pounds *per Centum per Annum* upon the Amount which such Payment in Advance may be over and above the said Calls, and from the Time of advancing the same up to the Period of such subsequent Call respectively, according to the Sum then in Advance, over and above the Amount of the said Call.

On the Death of Subscribers before Shares completed Executors may do it.

XXIV. And be it further enacted, That if any Owner or Owners of any Share or Shares in the said Undertaking, shall die before such Call or Calls shall have been made for the full Sum to be advanced and paid on any Share or Shares, which he, she or they shall have been possessed of, or entitled to, without having made Provision by Will or otherwise, how or in what Manner such Share or Shares shall be disposed of, and how or by what Means the future Calls in respect thereof shall be paid to the said Company for the Purposes of the said Undertaking, then and in every such Case, the Executor or Executors, Administrator or Administrators, of each and every such Owner so dying, or the Trustee or Trustees, Committee or Committees of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants, or of any other Person or Persons entitled to the Estate and Effects of such deceased Owner, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on account of his, her, or their having paid any Sum or Sums of Money when called for as aforesaid to complete every such Subscription; and if such deceased Owner or Owners, shall not have Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer any such Calls, the said Company shall and they are hereby authorized and required to admit any other Person or Persons to be a Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners; on Condition that he, she or they so admitted, do and shall, on or before such Admission pay to the Executors or Administrators of such deceased Owner or Owners, or to the Trustee or Trustees, Committee or Committees of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants,

or to any other Perſon or Perſons who may be entitled to his, her or their Effects, the full Sum and Sums of Money which ſhall have been paid by ſuch Owner or Owners, in his, her, or their Life-time, by virtue of any Call or Calls or otherwiſe, upon ſuch Share or Shares, or ſuch other Sum or Sums of Money, as the ſame can be ſold for; and in caſe no Perſon or Perſons ſhall be found who is or are willing to be admitted upon ſuch Condition as aforeſaid, then and in every ſuch Caſe ſuch Share or Shares ſhall be forfeited to, and become veſted in the Reſt of the Company, in Truſt for and for the equal Benefit of all the Reſt of the ſaid Proprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking, and ſhall be ſubject to be ſold and diſpoſed of in like Manner as other forfeited Shares may be ſold or diſpoſed of by virtue of this Act.

Shares may be ſold.

XXV. And be it further enacted, That it ſhall and may be lawful to and for the ſeveral Proprietors of the ſaid Undertaking, and his, her or their reſpective Executors, or Adminiſtrators, to ſell and diſpoſe of any Share or Shares to which he, ſhe or they may be entitled therein, ſubject to the Rules and Conditions herein mentioned, the Conveyance of which Shares ſhall be in the Form or to the Effect following:

'I of in Conſideration of paid
'to me by of
'do hereby bargain, ſell, aſſign, and transfer to the ſaid
'the Sum of Capital Stock of the
'*Highgate* Archway Company, being Part, (*or* the Whole, *as the Caſe*
'*may be*), of my Share in the ſaid Undertaking, to hold to the ſaid
'his Executors, Adminiſtrators and Aſſigns, ſubject to
'the ſame Rules, Orders, and Reſtrictions, and on the ſame Conditions
'that I held the ſame immediately before the Execution hereof; and I the
'ſaid do hereby agree to take and accept the ſaid
'Capital Stock or Share of ſubject to the ſame Rules, Orders,
'Reſtrictions, and Conditions. As Witneſs our Hands and Seals the
'Day of

And on every ſuch Sale, the ſaid Deed of Conveyance being executed by the Seller or Sellers, and the Purchaſer or Purchaſers of ſuch Share or Shares, ſhall be kept by the Purchaſer or Purchaſers for his, her or their Security, after the Clerk or Clerks to the ſaid Company ſhall have entered in a proper Book or Books to be kept for that Purpoſe, a Memorial of ſuch Transfer and Sale for the Uſe of the ſaid Company, and have teſtified or indorſed the Entry of ſuch Memorial on the ſaid Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence ſhall be paid; and the ſaid Clerk or Clerks is and are hereby required to make ſuch Entry or Memorial accordingly: Provided always, that no Transfer or Transfers of any ſuch Share or Shares ſhall be regiſtered until all the Calls previouſly made ſhall have been paid; and until ſuch Memorial ſhall have been made and entered as above directed, ſuch Purchaſer or Purchaſers ſhall have no Part or Share of the Profits of the ſaid Undertaking, nor any Intereſt for ſuch Share or Shares paid to him, her or them, nor any Vote in reſpect thereof.

After a Call no Share to be ſold until ſuch Call be paid.

XXVI. And be it further enacted, That after any Call of ſuch Money ſhall have been made by the ſaid Directors as aforeſaid, no Perſon or Perſons ſhall ſell or transfer any Share or Shares which he, ſhe or they ſhall poſſeſs in the ſaid Undertaking,

Undertaking, on Pain of forfeiting his, her, or their reſpective Share or Shares therein to the ſaid Company, in Truſt for the Benefit of all the ſaid Proprietors, unleſs he, ſhe or they at the Time of ſuch Sale or Transfer ſhall have paid and diſcharged to the Treaſurer of the ſaid Company, the whole and entire Sum of Money which ſhall have been called for upon ſuch Share or Shares ſo ſold or transferred; ſuch Forfeiture to be notified and declared at the next General or Special Aſſembly of the Company.

Regulations as to the Acquiſition of Shares.

XXVII. And whereas much Inconvenience may ariſe by the frequent Change of the Right and Title to the Shares of and in the ſaid Undertaking, by the Marriage and Death of the Proprietors, and it may be difficult in ſuch Caſes to aſcertain to whom the Dividends ariſing or becoming due upon ſuch Shares ought to be paid and do belong, be it therefore further enacted, That before any Perſon or Perſons claiming any Part or Share of the Profits of the ſaid Undertaking, in Right of Marriage, ſhall be entitled to receive the ſame, an Affidavit, containing a Copy of the Regiſter of ſuch Marriage, or the Effect of ſuch Regiſter, ſhall be made and ſworn to by ſome credible Perſon, before a Judge of ſome or One of the Courts of Record at *Weſtminſter*, or a Maſter Ordinary or Extraordinary in Chancery, or any of His Majeſty's Juſtices of the Peace; and the ſaid Judges, Maſter Ordinary or Extraordinary in Chancery, and Juſtices of the Peace, are hereby authorized and empowered to ſwear any ſuch Perſon to ſuch Affidavit, and ſuch Affidavit ſhall be tranſmitted to the Clerk to the ſaid Company for the Time being, who ſhall file the ſame, and make an Entry thereof in a Book which ſhall be kept by the ſaid Clerk for the Entry of Transfers and Sales of Shares in the ſaid Undertaking; and before any Perſon or Perſons, claiming any Part or Share of the Profits of the ſaid Undertaking, by virtue of any Bequeſt or Will, or in a Courſe of Adminiſtration, ſhall be entitled to receive the ſame, the ſaid Will, or the Probate thereof, ſhall be produced and ſhewn to the ſaid Clerk, or an Affidavit containing a Copy of ſo much of ſuch Will as ſhall relate to the Share or Shares of the Teſtator or of the Letters of Adminiſtration, in caſe the Proprietor ſhall have died inteſtate, ſhall be made and ſworn to by an Executor or Executors, or by an Adminiſtrator or Adminiſtrators of the Eſtate and Effects (as the caſe may happen to be), before a Judge of ſome or one of the Courts at *Weſtminſter*, a Maſter Ordinary or Extraordinary in Chancery, or One of His Majeſty's Juſtices of the Peace, and ſhall alſo be tranſmitted to the ſaid Clerk, who ſhall file and enter the ſame in Manner herein-before mentioned.

Names of Proprietors to be entered, and Certificates delivered to them.

XXVIII. And be it further enacted, That the ſaid Company or their Directors ſhall, and they are hereby required to cauſe the Names and proper Additions of the ſeveral Perſons who ſhall be entitled to the ſeveral Shares in the ſaid Undertaking, with the Number of Shares which they are reſpectively entitled to hold, and alſo the proper Number by which every Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book to be kept by the Clerk to the ſaid Company; and after ſuch Entry made, the ſaid Company or their Directors, ſhall cauſe a Certificate or Inſtrument, with the Common Seal of the ſaid Company affixed thereto, to be delivered to every ſuch Subſcriber upon Demand, ſpecifying the Share or Shares to which he, ſhe, or they, is or are entitled in the ſaid Undertaking, every ſuch Proprietor paying to the Clerk to the ſaid Company Two Shillings and Sixpence, and no more, for every ſuch Certificate or Inſtrument, (excluſive of the Stamp Duty thereon), and

such Certificate or Instrument shall be admitted in all Courts whatsoever, as Evidence of the Title of such Subscriber, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Description of the intended Archway.

XXIX. And be it further enacted, That the said Company shall have full Power and Authority to make and maintain a Road partly by an Archway through the East Side of *Highgate Hill*, communicating with the present Turnpike Road from *London* to *Barnet* at *Upper Holloway*, in the Parish of *Saint Mary Islington*; and near the Brook below the Fifth Mile Stone, in the Parish of *Saint Mary Hornsey*, in the County of *Middlesex*, and Approaches thereto, through, over, or upon the Lands, Commons, and Hereditaments mentioned and referred to in the Schedule to this Act, first making Satisfaction for the same in Manner herein provided for; and the said Company shall and may make such Communications from the Surface of the Ground to the said Archway, as may appear to the said Company or the Directors thereof for the Time being expedient and proper; and shall and may convey away, deposit, and dispose of the various Strata to be from Time to Time dug out in forming the said Road and Archway upon the said Lands, Commons, and Hereditaments (except as herein-after is mentioned); and it shall and may be lawful for the said Company to purchase, or cause to be purchased, of any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, the Lands, Tenements, and Hereditaments, particularly mentioned and referred to in the Schedule to this Act; and for the Purposes aforesaid, the said Company, their Deputies, Agents, Officers, and Workmen, are hereby authorized and empowered, from and immediately after the passing of this Act, to enter upon any Lands or Grounds whatsoever, for the Purpose of surveying, taking Levels of, and marking out the Ground and Premises intended to be made Use of for the Purpose of making the said Road and Archway, and also to bore in any Lands and Grounds; they the said Company, their Deputies, Agents, Officers, and Workmen, doing as little Damage as may be, and giving Three Days Notice in Writing signed by their Clerk to the Occupier or Occupiers of such Lands or Hereditaments of the Time intended for making such Survey, taking such Levels, or marking out such Ground and Premises, or entering upon such Borings, and making Satisfaction for all Damages that shall be done thereby exceeding the Sum of Ten Shillings.

To communicate with Southwood Lane.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby authorized and required, in forming the said Road over and across a certain other Road called *Southwood Lane*, or any other Road, to cut away, slope down, or embank the same, or the Ground adjoining thereto, in such Manner and Way as to communicate the said Road hereby authorized to be made with the said Lane, or other the Roads over or across which it may be found necessary to make the same.

For getting Materials for repairing the Road.

XXXI. And be it further enacted, That it shall be lawful for the said Company and their Directors, Surveyors, Agents, and Workmen, to dig, take, and carry away any Furze, Heath, Stone, Sand, Gravel, and other Materials proper or convenient for making and repairing the said Road, out of any Waste or Common, River or Brook, in any Parish, Town, Village or Hamlet, wherein the said Road or any Part thereof lies; and, for want of sufficient

ficient Quantities of ſuch Materials in the Places laſt deſcribed, then to dig, take, and carry away the like Materials out of any Waſte or Common, River or Brook, in any adjoining Pariſh, Town, Village or Hamlet, without making any Recompence for the ſame; the ſaid Company or their Directors, Surveyors or Agents, filling up, fencing or levelling all ſuch Pits and Holes as ſhall be made or occaſioned by the digging for or taking away ſuch Materials, and making ſuch Allowance or Satisfaction to the Perſon or Perſons through whoſe Lands or private Ways ſuch Materials ſhall be led and carried, for the Damages done and occaſioned thereby, as the ſaid Directors ſhall judge fit and reaſonable; and in caſe ſufficient Materials cannot be gotten at convenient Diſtances in ſuch Waſtes, Commons, Rivers, and Brooks as aforeſaid, it ſhall be lawful for ſuch Surveyor and Surveyors, ſubject, nevertheleſs, to the Proviſo and Directions next herein-after contained, to dig for and take away the like Materials out of the private Grounds of any Perſon or Perſons, not being a Garden, Orchard, Yard, Paddock, Park, planted Walk or Avenue to any Houſe or incloſed Ground planted or ſet apart or uſed as a Plantation or Nurſery for Trees, where ſuch Materials are and may be found, and from Time to Time to carry away ſuch and ſo much of the ſaid Materials reſpectively as the ſaid Company or their Directors, Surveyors or Agents ſhall judge neceſſary for repairing and amending the ſaid Road, paying ſuch Recompence for the Damage done to the Owners and Occupiers of the reſpective Grounds through which and from whence the ſame ſhall be dug and carried away as the ſaid Directors ſhall judge reaſonable; and in caſe of any Difference between ſuch Owners and Occupiers, or any of them, and the ſaid Company, touching the Damages aforeſaid, the Juſtices of the Peace for the County, Riding, or Diſtrict wherein the Lands lie from which ſuch Materials ſhall be taken, or over or through which the ſame ſhall have been led or carried, at their General Quarter Seſſions of the Peace to be holden in and for the ſaid County, Riding, or Diſtrict, next after ſuch Difference, on Eight Days Notice being given by either Party to the other in Writing, ſhall and may aſſeſs, adjudge, and finally determine the ſame, in ſuch Manner as they ſhall think fit and expedient: Provided always, That it ſhall not be lawful for the ſaid Company or their Directors, Surveyors, Agents, and Workmen under the Authority of this Act, to dig, gather, take, or carry away any Furze, Heath, Stone, Sand, Gravel, or other Materials for making or repairing the ſaid Road, or for any other the Purpoſes of this Act, in or from any incloſed Lands or Grounds, or from any Stone Quarry (as well incloſed as not incloſed), without the Conſent in Writing of the Owner or Owners thereof, until after Three Days Notice in Writing, ſigned by the Surveyor or ſome other Officer or Officers of the ſaid Company ſhall have been given to the Occupier of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at his uſual Place of Reſidence, to appear before Two or more Juſtices of the Peace acting for the County, Riding, or Diſtrict in which ſuch Premiſes ſhall lie, at a certain Time and Place, to be ſpecified in ſuch Notice, to ſhew Cauſe why ſuch Materials ſhould not be taken away; and in caſe ſuch Occupier ſhall attend purſuant to ſuch Notice, ſuch Juſtices ſhall, if they think proper, authorize ſuch Surveyor or other Officer to dig, gather, take, and carry away, ſuch Materials, at ſuch Time or Times as to ſuch Juſtices ſhall ſeem proper; and if ſuch Occupier ſhall neglect or refuſe to appear, by himſelf or his Agent, ſuch Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually, to all Intents and Purpoſes, as if ſuch Occupier or Agent had attended purſuant to ſuch Order.

Providing for the Safety of Lands above the Archway.

XXXII. And be it further enacted, That before the said Company, or any Person or Persons employed by them, or acting under their Authority, shall dig or cut any of the Lands or Grounds, or take down, remove or otherwise use or affect any of the said Lands, Tenements, or Hereditaments, or bore under or undermine any of the same Lands, Tenements or Hereditaments, for the Purpose of forming or making the said Road and Archway, or any of the Works hereby authorized to be made, or for depositing any of the Strata to be taken from such Ground, they the said Company shall purchase the Lands, Tenements, and Hereditaments, mentioned and referred to in the Schedule to this Act, or such Part or Parts thereof as the said Company shall be required by the Owner or Owners thereof respectively to purchase, and shall pay or tender the Purchase or Consideration Money or Monies in Manner herein directed.

Plan to remain with the Clerk of the Peace.

XXXIII. And whereas a Map or Plan describing the Lands through which the said Road and Archway are intended to be made, together with a List of the Names of the Owners and Occupiers of such Lands hath been deposited with the Clerk of the Peace for the County of *Middlesex*; be it enacted, That such Map or Plan and List of Names shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons interested therein shall at all reasonable Times have Liberty to inspect and peruse the same, and take a Copy thereof, or any Part thereof, paying the Sum of One Shilling to the Clerk of the Peace or his Deputy for every such Inspection; and the said Company in making the said Road and Archway shall not deviate more than One hundred Yards from the Line described in the said Map or Plan without the Consent, in Writing, of the Person or Persons, Bodies Politick, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Line may be deviated to a certain extent.

XXXIV. Provided always, and be it enacted, That it shall and may be lawful to and for the said Company to construct and carry the said intended Road and Archway, and other Works thereunto belonging, over, through or underneath the Lands, Tenements, and Hereditaments, of any Person or Persons whose Name is not entered in the said List of Owners and Occupiers, in case the said Company shall for that Purpose have obtained the Consent in Writing of all and every such Proprietors and Persons interested therein.

Errata in Schedule not to prevent Purchase of Lands.

XXXV. Provided always, and be it further enacted, That the said Company shall or may construct the said intended Works through, across, or under any of the Lands, Tenements, or Hereditaments delineated in the said Map or Plan, notwithstanding the Name or Names of any Person or Persons shall or may have been omitted, or incorrectly inserted in the said Schedule hereto annexed, in case it shall appear to any Two or more Justices of the Peace for the said County of *Middlesex*, that the same happened by Mistake or incorrect Information.

Bodies Politic empowered to sell and convey Lands.

XXXVI. And be it further enacted, That after any Lands, Tenements, or Hereditaments shall be set out and ascertained for making the said Road and Archway or any Part or Parts thereof, or for erecting or constructing the Toll Houses, Watch Houses, or the Roads and Ways leading thereto, or

or other Works thereunto belonging, it ſhall and may be lawful to and for all Bodies Politick, Corporate and Collegiate, and all Tenants for Life, or in Fee Tail, General or Special, or for Years certain or determinable on any Life or Lives, and to and for all Huſbands, Guardians, Truſtees, and Feoffees in Truſt, for charitable and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuiqué* Truſts, whether Infants, Iſſue unborn, Lunaticks, Idiots, Femes Covert, or other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or entitled to Dower or other Intereſt therein, and for all and every other Perſon or Perſons whomſoever, who is, or are, or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, which ſhall be ſo ſet out and aſcertained for the Purpoſes aforeſaid, to contract for, ſell, and convey the ſame in Fee Simple unto the ſaid Company; and all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by virtue and in purſuance of this Act, ſhall without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances in the Law whatſoever, be good, valid, and effectual, to all Intents and Purpoſes whatſoever, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand of their ſeveral and reſpective *Ceſtuique* Truſts, and all Perſons whomſoever, claiming or to claim, from, by, or under them, any Law, Statute, Uſage, or other Matter or Thing to the contrary thereof in any wiſe notwithſtanding; and all Bodies Politick, Corporate or Collegiate, and all Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Truſt, Executors, and Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whomſoever ſo conveying as aforeſaid, are hereby indemnified for what they ſhall reſpectively do in relation to any ſuch Sale, which he, ſhe, or they, or any of them, ſhall make by virtue and in purſuance of this Act; and all ſuch Contracts, Agreements, Sales, and Aſſurances, ſhall be made at the Expence of the ſaid Company; and ſuch of them as ſhall be made of any Lands, Tenements, or other Hereditaments in Fee Simple to the ſaid Company, ſhall be made according to the following Form; (*videlicet*,)

Form of Conveyance to be made to the Company.

'I of in Conſideration of the Sum of to me paid (or in Conſideration of the annual Rent of to me to be hereafter yielded and paid, by Yearly or Half-yearly Payments, as may be agreed upon) by the *Highgate Archway Company*, do hereby grant and releaſe to the ſaid Company, all [*deſcribing the Premiſes to be conveyed*] and all my Right, Title, and Intereſt, to and in the ſame, and every Part thereof, to hold to the ſaid Company and their Succeſſors for ever, by virtue and according to the true Intent and Meaning of an Act of Parliament made in the Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of this Act.*] In Witneſs whereof, I have hereunto ſet my Hand and Seal, this Day of in the Year of our Lord

And

And all ſuch Conveyances ſhall be kept by the Clerk to the ſaid Company, who ſhall from Time to Time, when requeſted, deliver atteſted Copies thereof to any Perſon or Perſons requiring the ſame; and the ſaid Clerk ſhall have and receive Sixpence and no more, for every One hundred Words of ſuch atteſted Copy, and ſo in Proportion for any leſs Number of Words; and every ſuch Conveyance to be made by virtue of this Act, in Manner and Form aforeſaid, ſhall be valid and effectual to all Intents and Purpoſes whatſoever, any Statute, Uſage, or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

Satisfaction to be made.

XXXVII. Provided always, and be it enacted, That all and every Body and Bodies Politick, Corporate or Collegiate, Truſtees and other Perſons herein-before capacitated to ſell or convey Lands, Tenements, and other Hereditaments, and every other Owner or Owners, Leſſee or Leſſees, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments, through, acroſs, or under which any of the Works are hereby authorized or intended to be made, may accept and receive Satisfaction for the Value of ſuch Lands, Tenements, and Hereditaments, and for the Damages to be ſuſtained by or which ſhall be conſequential on the making and completing the ſaid Works, herein directed to be made, either in groſs Sums, or by annual Rents, as ſhall be agreed upon by and between the ſaid Parties intereſted reſpectively, or any of them, and the ſaid Directors, or as the Amount of the ſame ſhall be aſcertained and ſettled in ſuch Manner by a Jury as is herein directed; and all ſuch yearly Rents or Sums as ſhall be agreed on between the Directors of the ſaid Company and the ſaid Parties intereſted in ſuch Lands, Tenements, or other Hereditaments, as ſhall be ſo aſcertained and ſettled by ſuch Jury, ſhall be charged on the Tolls ariſing by virtue of this Act, and ſhall be paid by the ſaid Company either Yearly or Half-yearly, as the ſame ſhall be agreed to become due and payable; and in caſe the ſame ſhall not be paid within Forty Days next after the ſame ſhall ſo become due and payable, it ſhall and may be lawful for any Two or more of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, and they are hereby required, by an Order under their Hands, to appoint One or more Perſon or Perſons, to receive the Tolls hereby granted and made payable, and to pay the ſame to ſuch Perſon or Perſons to whom ſuch Annual Rents or Sums ſhall be due and unpaid as aforeſaid, the ſaid Juſtices taking ſuch Security from every ſuch Perſon for the due and faithful Execution of his Office as they ſhall judge proper and ſufficient; and every ſuch Perſon ſo appointed, ſhall be deemed a Collector of the ſaid Tolls, and ſhall have the ſame Power and Authority for collecting the ſame, and ſhall receive and retain thereout ſuch reaſonable Satisfaction for his Trouble therein, as the ſaid Juſtices ſhall determine, in like Manner as if he had been appointed a Collector of the ſaid Tolls by the ſaid Company or their Directors, until ſuch Annual Rents or Sums, with all Coſts and Damages occaſioned by the Non payment thereof, ſhall be fully ſatisfied aad paid; or it ſhall and may be lawful to and for ſuch Bodies Politick, Corporate and Collegiate, Truſtees, or other Perſon or Perſons, to whom ſuch Annual Rent or Sums ſhall be due and owing as aforeſaid, to ſue for and recover the ſame, with Coſts of Suit, by Action of Debt, or on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*; or otherwiſe to ſeize and diſtrain the Goods or Effects of the ſaid Company, which ſhall be found upon or within the ſaid Road or Archway, or in or upon the Toll Houſes, Warehouſes, or other Works thereto belonging, (Information of ſuch

Diſtreſs being immediately given by Notice in Writing, delivered to ſome Clerk or Clerks, Collector or Collectors of the Tolls of the ſaid Company, or affixed on ſome of the Toll Houſes or Toll Gates, to be erected by virtue of this Act), and to detain the ſame until Payment of ſuch Annual Rents or Sums then due and owing, together with the reaſonable Charges attending ſuch Diſtreſs; and if ſuch Diſtreſs ſhall not be redeemed within Five Days next after making the ſame, and Notice thereof given in Writing as aforeſaid, then ſuch Goods or Effects ſo diſtrained, ſhall and may be ſold or diſpoſed of in ſuch Manner as the Law directs in caſe of a Diſtreſs for Rent.

If Parties are diſſatisfied, Value to be ſettled by a Jury.

XXXVIII. And be it further enacted, That if any Body or Bodies Politick, Corporate or Collegiate, or any other Perſon or Perſons, ſeized or poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, as aforeſaid, ſhall refuſe to treat or agree, or ſhall not agree, or by reaſon of Abſence or Diſability cannot agree with the Directors of the ſaid Company, or with any Perſon or Perſons authorized by them, for the Sale and Conveyance of their reſpective Eſtates and Intereſt therein, or cannot be found, or known, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Directors, or of the Perſon or Perſons ſo authorized by them; then and in every ſuch Caſe, it ſhall be lawful for the ſaid Directors, or any Three or more of them, and they are hereby required, to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff or Bailiff of the County, Diviſion, Diſtrict, or Liberty, wherein the Premiſes ſhall reſpectively lie or be; who is hereby authorized, directed, and required, to impannel, ſummon, and return a competent Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, not leſs than Thirty-ſix nor more than Forty-eight; and out of ſuch Perſons ſo to be impannelled, ſummoned, and returned, a Jury of Twelve Men ſhall be drawn, by ſome Perſon to be by the ſaid Sheriff or his Deputy appointed, in ſuch Manner as Juries for the Trials of Iſſues joined in His Majeſty's Courts at *Weſtminſter*, are by an Act made in the Third Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, directed to be drawn; which Perſons ſo to be impannelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the Juſtices of the Peace at the General or Quarter Seſſions of the Peace to be holden for the County, Diviſion, Diſtrict, or Liberty reſpectively, or at ſuch Adjournment thereof as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and to attend ſuch Court of General or Quarter Seſſions from Day to Day, until diſcharged by the ſaid Court; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array; and the ſaid Juſtices are hereby authorized and empowered by Precept or Precepts, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever, who ſhall be thought proper and neceſſary to be examined as a Witneſs or Witneſſes on his, her, or their Oath or Oaths, touching or concerning the Premiſes; and the ſaid Juſtices, if they think fit, ſhall and may, on the Application of either Party, likewiſe authorize the ſaid Jury to view the Place or Places, or Premiſes in Queſtion, in ſuch Manner as they ſhall direct; and the ſaid Juſtices ſhall have Power to adjourn ſuch Court from Day to Day, as Occaſion ſhall require; and to command ſuch Jury, Witneſſes, and Parties, to attend until all ſuch Affairs for which they were ſummoned ſhall be concluded;

concluded; and the ſaid Jury, upon their Oaths, which Oaths, as alſo the Oaths of ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Juſtices are hereby empowered and required to adminiſter, ſhall enquire of the Value of ſuch Lands, Tenements, or Hereditaments, and of the proportional Value of the reſpective Eſtates and Intereſts of all and every Perſon and Perſons ſeized or poſſeſſed thereof, or intereſted therein, or of or in any Part or Parts thereof, and ſhall aſſeſs and award the Sum or Sums of Money to be paid to ſuch Perſon or Perſons, Party or Parties reſpectively, for the Purchaſe of any ſuch Lands, Tenements, or Hereditaments, and of ſuch reſpective Eſtates and Intereſts therein; or any Injury or Damage whatſoever, that may affect any Perſon or Perſons, Party or Parties, either as Freeholder, Copyholder, Leaſeholder, or Tenant at Will; provided that ſuch Property ſhall be eſtimated by what, in the Opinion of the ſaid Jury, the ſame would have been worth, in caſe the Improvements intended by this Act had not been in Contemplation; and the ſaid Juſtices ſhall and may give Judgement for ſuch Sum or Sums of Money ſo to be aſſeſſed; which Verdict or Verdicts, and the Judgement and Judgements, Determination and Determinations thereupon (Notice in Writing being given to the Perſon or Perſons intereſted, or claiming ſo to be, at leaſt Fourteen Days before the Time of the Meeting of the ſaid Juſtices as aforeſaid, and Jury, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their laſt or uſual Place or Places of Abode, or with ſome Tenant or Occupier of the Premiſes reſpectively intended to be valued) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt all Bodies Politick, Corporate and Collegiate, and all and every Perſon and Perſons claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to or out of ſuch Lands, Tenements, or Hereditaments, and Premiſes in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunatics, Ideots, and Femes Covert, and Perſons under any other legal Incapability or Diſability, as all other *Ceſtuique* Truſts, their, his, and her Heirs, Succeſſors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgements, and Determinations, and all other Proceedings of the ſaid Juſtices and Juries ſo to be made, given, and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned by the Clerk of the Peace for the Time being, of the County, Diviſion, Diſtrict, or Liberty, wherein the Premiſes ſhall reſpectively lie or be.

Damages not herein-before provided for, to be ſettled.

XXXIX. And be it further enacted, That if any Perſon or Perſons ſhall ſuſtain any Damages or Depreciation in Value of his or their Eſtate, Right, and Intereſt in any of the ſaid Lands or Hereditaments, by reaſon of the Execution of any of the Powers given by this Act, or as conſequential on the making the ſaid Road and Archway, or through or by Means not herein provided for, then, and in every ſuch Caſe, ſuch Damages or Depreciation in Value, ſhall be aſcertained and ſettled by the ſaid Directors and by the Parties intereſted, or by a Jury in Manner aforeſaid, and the ſame ſhall and may be recovered, levied, and applied, in Manner herein-before directed with regard to other Damages.

Verdict of Value of Lands and Damages, to

XL. And be it further enacted, That the ſaid Juries ſhall in all their Verdicts diſtinguiſh the Value ſet upon the Lands, Tenements, and other Hereditaments, and the Money aſſeſſed or adjudged for ſuch Damages or Depreciation in Value as aforeſaid, as any Perſon or Perſons ſhall ſuſtain

in consequence of the Execution of any of the Powers of this Act, separately and apart from each other. be ascertained separately.

XLI. And be it further enacted, That each and every Verdict so given shall be transmitted to and be kept by the Clerk of the Peace, or other Person having the Custody of the Records of the Quarter Sessions for the said County of *Middlesex*, and the same or true Copies thereof shall be allowed to be read in Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and to have Copies thereof, paying for every such Copy the Sum of Sixpence and no more, for every One Hundred Words, and so in Proportion for any greater or less Number of Words. Verdicts to be recorded.

XLII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or Hereditaments belonging to any Body or Bodies Politick, Corporate or Collegiate, or to any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to such Lands, Tenements, or other Hereditaments, than had been previously offered by or on behalf of the said Company; or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, and where no Compensation had been previously offered or tendered in respect thereof, by or on behalf of the said Company; or where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensations from the said Company, as herein-before mentioned, then and in all such Cases, all the Expences of summoning such Jury and taking such Verdict, shall be settled by some Justice of the Peace for the said County of *Middlesex* not interested in the Matter in Question, (who is hereby required to examine into and settle the same), and shall be defrayed by the said Company; but if any Verdict shall be given for the same Sum or Rent that had been previously offered by or on behalf of the said Company, or for a less Sum than had been so previously offered, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or in case of such Refusal or Neglect, to enter into Treaty with, or make Conveyances, or to receive Compensations from the said Company or their Directors, by any Body or Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey, or receive such Compensations as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person shall have been prevented from treating and agreeing as aforesaid) the Costs and Expences of summoning such Jury and taking such Verdict, shall be settled in like Manner by such Justice, and be borne and paid by the Body or Bodies Politick, Corporate or Collegiate, or other Person or Persons with whom the said Company shall have such Concerns, Controversies, or Disputes; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politick, Corporate or Collegiate, or other Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Expences of Jury and Witnesses by whom to be paid.

all Intents and Purpoſes, to be a Payment or Tender of the whole Sum or Sums ſo aſſeſſed and adjudged; and in caſe no Damages ſhall be given by ſuch Verdict, when the Diſpute is for Damages only, ſuch Coſts and Expences, after having been ſo aſcertained and ſettled as aforeſaid, ſhall and may be recovered by the ſaid Company by ſuch Ways and Means as are herein-before provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

Fine on Sheriffs for not ſummoning Juries, &c.

XLIII. And be it further enacted, That the ſaid Juſtices ſhall have Power from Time to Time to impoſe any reaſonable Fine, not exceeding the Sum of One hundred Pounds, on ſuch Sheriff or Bailiff, or his Deputy or Deputies, Bailiffs or Agents reſpectively, making Default in the Premiſes; and on any Perſon or Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, and ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict; and alſo on any Perſon who ſhall be ſummoned to give Evidence touching any of the Matters aforeſaid, and ſhall not attend; or attending ſhall refuſe to be ſworn, or to affirm, or who ſhall refuſe to give his, her, or their Evidence; and on any Perſon or Perſons who ſhall, in any other Manner, wilfully neglect his, her, or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and from Time to Time to levy ſuch Fine or Fines by Order of the ſaid Juſtices, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus, if any, to the Owner or Owners; and that a Copy of the Order of the ſaid Juſtices, ſigned by the Clerk of the Peace for the Time being, of the County, Diviſion, Diſtrict, or Liberty, wherein the Premiſes ſhall lie or be, as the Caſe ſhall require, ſhall reſpectively be ſufficient Authority to the Perſon or Perſons therein to be appointed, and to every other Perſon acting or aiding and aſſiſting therein, to make ſuch Diſtreſs and Sale; and all ſuch Fines ſhall be paid to the Treaſurers of the ſaid Company for the Time being, to be applied to the Purpoſes of this Act.

Power to enter and take Poſſeſſion of Land, &c. on Payment or Tender of Purchaſe Money.

XLIV. And be it further enacted, That upon Payment or legal Tender of ſuch Sum or Sums of Money, or Security being given under the Common Seal of the ſaid Company for the due Payment of any ſuch annual Rent as ſhall have been contracted or agreed for between the Parties, or aſſeſſed by ſuch Juries in Manner aforeſaid, for the Purchaſe of any ſuch Lands, Tenements, or other Hereditaments, or as a Recompence for Damages or Depreciation in Value as herein mentioned to the Proprietor or Proprietors of ſuch Lands, Tenements, or other Hereditaments, or to ſuch other Perſon or Perſons as ſhall be intereſted therein, or entitled to receive ſuch Money, Rent, or Compenſation reſpectively, at any Time after the ſame ſhall have been ſo agreed for, determined, or aſſeſſed; or if the Perſon or Perſons ſo entitled or intereſted, or any of them, cannot be found, or ſhall refuſe to receive the ſame, then, and on leaving or depoſiting the Money in the Bank of *England* in Manner by this Act directed, for the Uſe of ſuch Perſon or Perſons ſo intereſted or entitled as aforeſaid, and in all or any of the ſaid Caſes, as often as the ſame ſhall happen, it ſhall and may be lawful to and for the ſaid Company, and their Agents, Workmen, and Servants, immediately to enter upon ſuch Lands, Tenements, and other Hereditaments reſpectively (or before ſuch Payment or Tender, by Leave of the Owners and Occupiers thereof); and then and thereupon ſuch Lands, Tenements, and other Hereditaments, together with the yearly Profits

Profits thereof, and all the Eſtate, Uſe, Truſt, and Intereſt of any Perſon or Perſons therein, ſhall from thenceforth be veſted in and become the ſole Property of the ſaid Company, to and for the Purpoſes of this Act for ever; and ſuch Tender, Payment, or Depoſit, ſhall not only bar all Right, Title, Claim, Intereſt, and Demand of the Perſon or Perſons to whom the ſame ſhall or ought to have been made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower of the Wife of every ſuch Perſon, and all Eſtates Tail, and other Eſtates in Reverſion and Remainder, of his, her, or their Iſſue, and of every other Perſon whomſoever therein: Provided nevertheleſs, that before ſuch Payment, Security, Tender, or Depoſit, as aforeſaid, it ſhall not be lawful for the ſaid Company, or any Perſon acting under their Authority, to dig or cut the Lands or Grounds, or to take down, remove, or otherwiſe uſe or affect any Tenement or other Hereditament of the Perſon or Perſons entitled to ſuch Payment or Security, for the Purpoſe of making the ſaid Road and Archway, or other Work or Works, to be made by virtue of this Act, without the Leave or Conſent in Writing of ſuch Perſon or Perſons reſpectively, except as herein-after excepted.

Tenants at Will to deliver up Poſſeſſion of Premiſes on Three Months Notice to quit.

XLV. And be it further enacted, That every Tenant at Will, or Leſſee for a Year, or any other Perſon or Perſons in Poſſeſſion of any ſuch Lands, Tenements, and Hereditaments, or any Part thereof, which ſhall be purchaſed by virtue and for the Purpoſes of this Act, and who ſhall have no greater Intereſt in the Premiſes than as Tenant at Will, or Leſſee for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Company, or the ſaid Directors, or to ſuch Perſon or Perſons as they reſpectively ſhall appoint to take Poſſeſſion of the ſame, upon having Three Calendar Months Notice to quit ſuch Poſſeſſion from the ſaid Company, or the ſaid Directors, or the Perſon or Perſons ſo authorized by them reſpectively; and ſuch Perſon or Perſons in Poſſeſſion ſhall, at the End of the ſaid Three Calendar Months, whether ſuch Notice be given with Reference to the Time or Times of ſuch Tenants holding or not, or as ſoon after as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Company, or to the ſaid Directors, or the Perſon or Perſons authorized by them reſpectively to take Poſſeſſion thereof: Provided, that in caſe any ſuch Tenants, Leſſees, or other Perſons in Poſſeſſion as aforeſaid, ſhall be compelled to quit Poſſeſſion of any ſuch Lands, Tenements, or Hereditaments, before the Expiration of their reſpective Terms therein, the ſaid Company ſhall make Satisfaction to ſuch Tenants, Leſſees, or other Perſons in Poſſeſſion for the Determination of their ſaid reſpective Terms; and in caſe any Diſpute or Difference ſhall ariſe concerning the Amount of ſuch Satisfaction, the ſame ſhall be determined and ſettled in ſuch and the like Manner as the Satisfaction to be made for the Purchaſe of any Lands or Hereditaments, to be taken or made Uſe of for the Purpoſes of this Act, is herein directed to be determined and ſettled; and that in caſe any ſuch Perſon or Perſons, ſo in Poſſeſſion as aforeſaid, ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, it ſhall and may be lawful to and for the ſaid Directors, or any Three or more of them, to iſſue their Warrant or Warrants, Precept or Precepts, to the Sheriff or Bailiff of the County, Diviſion, Diſtrict, or Liberty, where the Premiſes ſhall reſpectively lie or be ſituate, to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Warrant or Warrants, Precept or Precepts, be nominated to receive

the ſame; and the ſaid Sheriff or Bailiff is hereby required to deliver ſuch Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Purchaſe Monies or Compenſations due to Corporate Bodies, Minors, &c. to be laid out to the ſame Uſes when the ſame ſhall exceed 200 l.

XLVI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed, by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee or other Truſtee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestuique* Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever; ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the ſaid Company, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order to be made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments, which ſhall be purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined, and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be veſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when the Compenſation does not

XLVII. And be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Cor-

poration, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, to be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by any Three or more of the Directors of the ſaid Company, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

exceed 200*l.* and is above 20*l.*

XLVIII. And be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner, as the ſaid Directors ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Application when leſs than 20*l.*

XLIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded, for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the Directors of the ſaid Company, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Directors, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, (*deſcribing them*), ſubject to the Order, Controul and Diſpoſition of the ſaid Court of Chancery, which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and

In caſe of not making out Titles,

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of Question touching the Title to Money to be paid for Lands, &c.

L. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Right, Estate, or Interest in any Lands, Tenements or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Company.

LI. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court to order the Expences of all such Purchases from Time to Time, to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Enabling Company to re-sell Premises they may purchase.

LII. And whereas the said Company of Proprietors may be compelled to purchase Lands, Tenements, and Hereditaments, not necessary to be made Use of for the Purposes of this Act; be it therefore further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture under their Common Seal to grant and convey in Fee, or to demise for a Term of Years, such Part or Parts of the Lands, Tenements, and Hereditaments, as may be purchased by the said Company, and as shall not be wanted for the Purposes of the said Road or Archway, and Works to be made by virtue of this Act.

LIII. Provided

As to the Resale of Premises.

LII. Provided always, and be it further enacted, That the said Company before they shall sell and dispose of any Land or Hereditaments hereby authorized to be sold, shall first offer the same to the Person or Persons of whom the same were purchased by the said Company; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase the same respectively, an Affidavit to be made and sworn before a Master, ordinary or extraordinary, in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Middlesex*, by some Person or Persons noways interested therein, stating that such Offer was made, by, or on the Behalf of the said Company, and that the same was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Company shall differ, and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury, in Manner herein-before directed with respect to disputed Value of Lands to be purchased by the said Company in pursuance of this Act; and the Expences of hearing and determining such Difference shall be borne and paid in like Manner as herein directed with respect to Purchases made by the said Company, *mutatis mutandis*.

Notice of Injury to be given to the Clerk of the Company.

LIV. And be it further enacted, That the said Directors shall not, nor shall any of them, be obliged or allowed, by virtue of this Act, to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by virtue or in consequence of this Act, unless Application shall have been made in relation thereto, by or on Behalf of such Person or Persons, to the Clerk of the said Company, within the Space of Three Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased or determined.

Toll-houses and Gates to be erected.

LV. And be it further enacted, That it shall and may be lawful to and for the said Company, to erect, or cause to be erected, a Turnpike and Toll-house at each and every End of such Road or Archway; and from Time to Time, and at all Times hereafter, to ask, demand, take and recover, to and for their own proper Use and Behoof, the several Tolls herein after mentioned, before any Passage shall be allowed upon or into the same, that is to say:

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricle, Chair, Waggon, Cart, Wain, or other Carriage, a Sum not exceeding Six-pence:

For every Horse, Mare, Gelding, or Mule, not drawing a Carriage, a Sum not exceeding Three-pence:

For every Ass, a Sum not exceeding Two-pence:

For every Foot-passenger, a Sum not exceeding One Penny.

Tolls not to be taken at both Gates.

LVI. Provided always, and be it enacted, That no Toll or Tolls shall be demanded or taken from any Person or Persons for or in respect of himself, herself, or themselves, or for or in respect of any Horse, Mule,

Aſs, or Carriage, coming out of the ſaid Road or Archway, upon the Production of a Ticket or Tickets, ſhewing that ſuch Toll or Tolls has or have been paid on entering the ſaid Road or Archway; which Ticket or Tickets all and every Toll-gatherer and Toll-gatherers ſhall, and he and they is and are hereby required to deliver, on the Payment of ſuch Toll or Tolls: Provided alſo, that no Toll ſhall be demanded or taken for any One Perſon driving any Cart, or other Two-wheeled Carriage; or for any Two Perſons driving or attending and belonging to any Waggon or other Four-wheeled Carriage; and it ſhall and may be lawful to and for the ſaid Company to demand and take the like Toll for each and every Perſon attending any Cart or other ſuch Two-wheeled Carriage exceeding One, and for each and every Perſon attending any Waggon or other ſuch Four-wheeled Carriage exceeding Two, as the ſaid Company are hereby enabled to demand and take for every Foot-paſſenger.

To enforce Payment of Tolls.

LVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Toll-gatherer or Toll-gatherers to ſtop and prevent the Paſſage of any Perſon or Perſons neglecting or refuſing to pay the ſaid Tolls or any of them, or of any Horſe, Beaſt, Carriage, or other Thing, for or in reſpect whereof the ſaid Tolls ought to be paid; or it ſhall and may be lawful to and for the ſaid Toll-gatherer or Toll-gatherers to ſeize and detain the Goods and Chattels of ſuch Perſon or Perſons, or ſuch Horſe, Beaſt, Carriage, or other Thing; and in caſe the ſaid Toll ſhall not be fully paid and ſatisfied, together with all reaſonable Coſts and Charges of making, detaining, and keeping ſuch Diſtreſs, within the Space of Five Days, the ſaid Toll-gatherer or Toll-gatherers ſhall and may ſell the ſame, rendering the Overplus (if any) to the Owner or Owners thereof, after deducting the ſaid Toll and all Coſts and Charges of making, detaining, keeping, and ſelling ſuch Diſtreſs: Provided always, that no Cows, Oxen, Cattle, Calves, Swine, Sheep, Lambs, Geeſe, or Turkies, ſhall be permitted or ſuffered, by the ſaid Toll-gatherer or Toll-gatherers, or other Perſon or Perſons employed by the ſaid Company, to paſs through the ſaid Archway.

Diſputes reſpecting Tolls and Charges to be ſettled by a Juſtice.

LVIII. And be it further enacted, That if any Diſpute ſhall ariſe relative to the Quantity of Tolls due, or the Coſts and Charges of diſtraining, keeping, or ſelling any Diſtreſs, it ſhall and may be lawful to and for the Collector or Perſon ſo diſtraining to detain the Diſtreſs, or the Money ariſing from the Sale thereof, until the Quantity of the Tolls, and the Charges of diſtraining, keeping, and ſelling the Diſtreſs, (as the Caſe may be), ſhall be aſcertained by ſome Juſtice of the Peace for the ſaid County of *Middleſex*; who upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter upon the Oath or Oaths of the Parties, or other Witneſs or Witneſſes, and ſhall determine the Quantity of Tolls due, and ſhall alſo aſſeſs the Charges of ſuch Diſtreſs and Sale, and all other reaſonable Coſts; all which Sum or Sums ſo determined or aſſeſſed, ſhall be paid to the Collector of the ſaid Tolls before he ſhall be obliged to return the ſaid Diſtreſs, or the Overplus after the Sale thereof, or any Part thereof.

Collectors of Tolls to be competent Witneſſes.

LIX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in any wiſe relating to the ſaid Tolls or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Company

pany of Proprietors, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls.

On the Death of Gatekeeper, Directors may nominate another till the next Meeting, &c.

LX. And be it further enacted, That it shall and may be lawful to and for any Three or more of the said Directors, upon the Death, Resignation, Dismissal, or Removal from his Office, of any Collector of the Tolls hereby granted, by Writing under their Hands, to nominate and appoint any other fit Person in his or her Place until the next General or Special Assembly of the said Company; which Person or Persons so to be nominated and appointed shall have the like Power and Authority, and be accountable in the same Manner in all respects, as the Person or Persons in whose Room or Stead he or they shall be so appointed: And if any Collector of the said Tolls, who shall have resigned, or be discharged from his or her Office by the said Company or the said Directors, shall refuse to deliver up Possession of the Toll House, Buildings and Appurtenances, which he or she enjoyed in Right of his or her Appointment to that Office, within Three Days after Notice to remove shall have been given to him or her, or left at such Toll House in Writing under the Hands of the said Directors, or any Three or more of them; or if the Wife or Family of any such Collector who shall die as aforesaid, or any other Person who shall be in Possession of the Premises by any Means whatsoever, shall refuse to deliver up such Toll House, Buildings, and Appurtenances, within Three Days after Notice to remove therefrom shall have been given to him, her, or them, or left at such Toll House, signed by any Three or more of the said Directors, then and in either of the said Cases it shall and may be lawful to and for any Justice of the Peace for the County of *Middlesex* aforesaid, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Day Time, and to remove the Persons who shall be found therein, together with their Goods and Chattels, out of such Toll House and other Premises, and to put the new-appointed Collector in Possession thereof.

Tolls may be altered.

LXI. And be it further enacted, That it shall and may be lawful to and for the said Company at any General Assembly, or at any Special Assembly to be appointed for that Purpose, from Time to Time, to lower or reduce all or any of the said Tolls, and again to raise the same to such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary for the Interest of the Company.

Lamps to be affixed against Walls, &c.

LXII. And be it further enacted, That it shall and may be lawful to and for the said Company to affix, or cause to be affixed, such and so many Lamps upon and within the said Road and Archway for the lighting thereof, as the said Company shall see proper and convenient; and if any Person or Persons shall wilfully take away, break, throw down, or damage any Lamp that shall be so set up, or shall wilfully extinguish the Light or Lights within the same, or throw down or damage the Irons or other Furniture thereof, or shall wilfully pull down, break, or destroy any Table or Tables, Board or Boards, containing any Bye Laws relating to the Persons using the said Road or Archway, or shall wilfully erase, obliterate or destroy any of the Letters or Figures thereon; it shall and may be lawful to and

for

for any Juſtice or Juſtices of the Peace for the County of *Middleſex*, upon Complaint to him or them made, to grant a Warrant to bring before him or them ſuch Offender or Offenders, at ſuch Time or Place as in ſuch Warrant ſhall be ſpecified; or to and for any Perſon or Perſons whomſoever who ſhall ſee ſuch Offence committed, to ſeize, as alſo for any other Perſon or Perſons to aſſiſt in ſeizing, the Offender or Offenders; and by Authority of this Act to convey and deliver him, her or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſuch Juſtice or Juſtices of the Peace; and ſuch Juſtice or Juſtices ſhall examine upon Oath any Witneſs or Witneſſes who ſhall appear, or be produced to give Information or Evidence touching ſuch Offence, which Oath the ſaid Juſtice or Juſtices is and are hereby authorized and required to adminiſter; and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence, either by his, her, or their Confeſſion, or upon ſuch Information or Evidence as aforeſaid; he, ſhe, or they ſo convicted, ſhall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp or Lamp Iron ſo broken, thrown down or damaged; or for every Light ſo extinguiſhed; or for every Table or Board pulled down, broken, deſtroyed, obliterated, or defaced as aforeſaid; and moreover ſhall make full Satisfaction to the ſaid Company, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, for the Damage ſo by him or them done as aforeſaid; and in caſe ſuch Offender or Offenders ſhall not on Conviction pay ſuch Forfeiture and make Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them, to the common Gaol or Houſe of Correction for the County or Place where the Offence ſhall be committed, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given.

Perſons accidentally damaging Lamps to make Satisfaction.

LXIII. And be it further enacted, by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage any ſuch Lamp or Lamps, or the Irons, or other Furniture thereof; or pull down, break, or deſtroy any One or more of the ſaid Tables or Boards; or eraſe, obliterate or deface any of the Letters or Figures thereon; and ſhall not immediately upon Demand make Satisfaction for the Damage done thereto; then and in every ſuch Caſe it ſhall and may be lawful to and for any Juſtice of the Peace in or for the County or Place where the Offence ſhall be committed, upon Complaint to him made by any One or more credible Witneſs or Witneſſes, to ſummon before him the Party or Parties who ſhall be complained of for doing ſuch Damages as aforeſaid, and upon hearing the Allegations and Proofs on both Sides, or on the Non-appearance of the Party or Parties complained of, to award ſuch Sum or Sums of Money by way of Satisfaction to the ſaid Company for ſuch Damages, as ſuch Juſtice ſhall think reaſonable; and in caſe of Neglect or Refuſal to pay any Sum or Sums of Money ſo awarded within Fourteen Days after Demand, to cauſe the ſame to be levied and applied as Fines, Penalties, and Forfeitures, are by this Act herein directed to be levied and applied.

Paſſage to be open to all Perſons on Payment of Tolls.

LXIV. And be it further enacted, That the ſaid Company ſhall, and they are hereby required, to keep the ſaid Archway well and ſufficiently lighted, for all Perſons to paſs along and through the ſame; upon Payment of the Tolls

Tolls as aforesaid (save and except for and during such Time or Times as the said Archway, or any Part thereof, or any of the Works thereto belonging, shall be repairing; or the Passage through the same shall be by any Accident impeded or prevented); and in Default thereof, the said Company shall forfeit and pay for every such Offence, the Sum of Five Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suits, by Action of Debt, or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or any more than One Imparlance, shall be allowed.

Penalty on damaging the Works, or removing Materials therefrom.

LXV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously blow up, pull down, or otherwise damage or destroy the said Road or Archway, or any Part thereof, or any other Works thereunto belonging; or shall steal any of the Materials thereunto belonging; every such Person so offending shall, upon being lawfully convicted thereof, be adjudged guilty of Felony; and the Court before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person or Persons to be transported, or in Mitigation of such Punishment may award such Sentence as the Law directs in Cases of Petty Larceny.

Saving the Rights of the Trustees of the Highgate and Whetstone Turnpike Roads.

LXVI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to enable the said Company for any of the Purposes aforesaid, to break up, disturb, alter, or injure, any Part of the Turnpike Roads or Highways, or any Thing appertaining thereto, under the Management of the Trustees, named and appointed under or by virtue of an Act of Parliament made and passed in the Forty-first Year of His present Majesty, intituled, *An Act to continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and alter and amend the Powers of an Act, made in the Sixteenth Year of the Reign of His present Majesty, intituled,* '*An Act to continue and render more effectual several Acts of Parliament for repairing the Highways leading to* Highgate Gatehouse *and* Hampstead, *and other Roads in the said Acts mentioned, in the County of* Middlesex; *and also to continue and render more effectual an Act to enable the respective Trustees of the Turnpike Roads leading to* Highgate Gatehouse, *and* Hampstead, *and from* Saint Giles's Pound *to* Kilbourne, *to make a new Road from the Great Northern Road at* Islington, *to the* Edgware *Road near* Paddington, *as far as the same is by the said Act directed to be under the Care and Management of the Trustees of the said first-mentioned Acts; and for making a Road from the said New Road, near* Queen's Row *to* Bagnigge Wash; *and for watching, lighting, and watering the said Roads;*' or of another Act passed in the Eighteenth Year of the Reign of His present Majesty, intituled, *An Act to enlarge the Term and Powers of several Acts, for repairing the Road from* Highgate Gatehouse *in the County of* Middlesex, *to* Barnet Blockhouse *in the County of* Hertford, *and the Road from the* Bear Inn *in* Hadley, *to the* Angel *in* Enfield Chase, *and also* Canewood Lane, *leading from* Highgate *to* Hampstead *in the said County of* Middlesex, *and the Road beginning at* Barnet Blockhouse *and ending at the* Bear Inn *in* Hadley *aforesaid*; or to deposit any of the Strata dug out in forming the said Road or Archway communicating with the said Turnpike Roads, on any Part thereof, or within Fifty Feet of the Side thereof, or to deposit any Materials, Machines, or Instruments for forming the same upon the said Roads, or to make

make any Erections except an open Arch or Arches, or Gauge or Gauges, within Fifty Feet of the Side thereof, or to make use of any Device or Devices which may interfere with the said Roads, without the Consent of the said Trustees or any Five or more of them, or to affect the Right of the said Trustees, or to lessen the Security of any Person or Persons who may have advanced, or shall hereafter advance Money on the Credit of the Tolls payable to the said Trustees on any Part of the Roads within the Limits of the said Trustees: Provided also, that the Road or Roads to communicate between the said Turnpike Road or Roads, and the said Road and Archway, shall not be made above the Level of the said Turnpike Road or Roads.

Saving the Rights of the Lessors and Lessees of certain Tolls on Highgate Hill.

LXVII. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or derogate from any Right, Interest, Profit, Emolument, Privilege, or Authority of the Lessor or Lessee, or Assignee, of certain Tolls taken on *Highgate Hill*, at a certain Place called the Gate-house, to receive Toll thereat, or to prohibit, defeat, alter, or diminish any Power or Authority which at the Time of making this Act the said Lessor or Lessee might lawfully claim, use, or exercise; but in case the said Lessor and Lessee, or either of them, their, or either of their Heirs, Executors, Administrators, Successors, or Assigns, shall be damnified or injured in any such lawful Claim, on the Amount of Tolls receivable by such Lessee (such Diminution of Tolls to be calculated upon an Average of the Seven Years preceding such Diminution thereof), by reason or in consequence of carrying into Execution the Provisions of this Act, the Amount of such Damage or Injury so to be sustained, shall be ascertained and settled by the said Directors and by the Parties interested, or by a Jury in Manner aforesaid, and the same shall and may be recovered, levied, and applied, in Manner herein-before directed with regard to other Damages.

Saving the Rights of G. Longman, Esq.

LXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to enable the said Company, or their Directors, or any Person or Persons employed by them, to construct the said Archway or Road through, over, or upon any Part of the Land belonging to *George Longman* Esquire, except on such Part of a certain Piece or Parcel of Land adjoining the South Side of *Highgate Common* as is comprised within the Distance of Fifty Yards from the East End of the said Piece or Parcel of Land, any Thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of W. Whitton, Gent.

LXIX. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to enable or authorize the said Company to enter into or upon the Surface of any of the Lands or Hereditaments in the Occupation of *William Whitton*, without the Consent in Writing of the said *William Whitton*, his Executors, Administrators, or Assigns, first had and obtained (except the Directors of the said Company, and Persons to be by them from Time to Time specially appointed, for the Purpose of taking Levels and making Borings, and the said Company or their Surveyor giving Three Days previous Notice thereof to the said *William Whitton*, his Executors, Administrators, or Assigns), or to deposit on such Lands or Hereditaments, or any Part thereof, or on a certain Field in the Occupation of *Thomas Godson*, which adjoins the Gardens and Pleasure

Grounds in the Occupation of the ſaid *William Whitton* and *Frederick Wiſtenhauſen*, any of the Strata to be dug as aforeſaid, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Puniſhing Perſons guilty of Perjury.

LXX. And be it further enacted, That if any Perſon or Perſons upon any Examination upon Oath or Affirmation to be taken by virtue of this Act, ſhall wilfully and corruptly give falſe Evidence touching any Matter or Thing which ſhall be enquired into, every ſuch Perſon ſo offending, and being duly convicted thereof, ſhall be and is hereby declared to be ſubject and liable to ſuch Pains and Penalties as by any Law in Force and Effect Perſons guilty of Perjury are ſubject and liable to.

Fines, how to be recovered and applied.

LXXI. And be it further enacted, That all Fines, Penalties and Forfeitures inflicted by this Act, or which ſhall be inflicted by any Bye-law, Rule, or Order to be made in purſuance thereof, the levying and recovery whereof is not particularly herein-before directed, ſhall in caſe of Non-payment thereof on Conviction of the Offenders reſpectively, on the Oath of any credible Witneſs or Witneſſes, or by the Confeſſion of the Party or Parties offending, be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County, or Place wherein the Offence ſhall be committed, or the Offender ſhall be or reſide, and every ſuch Juſtice is hereby authorized and required to examine Witneſſes on Oath, and hear and determine the ſame; and all ſuch Fines, Penalties and Forfeitures (the Application whereof is not herein-before particularly directed), ſhall be paid into the Hands of the Treaſurers of the ſaid Company, and ſhall be applied and diſpoſed of for the Uſe of the ſaid Company, and the Overplus of the Money raiſed by ſuch Diſtreſs and Sale, after deducting the Fines, Penalties or Forfeitures, and the Expences of ſuch Diſtreſs and Sale, ſhall be rendered to the Owner of the Goods and Chattels ſo diſtrained; and for want of ſufficient Diſtreſs, and in caſe the Fine, Penalty or Forfeiture ſhall not be forthwith paid, it ſhall and may be lawful to and for ſuch Juſtice by Warrant under his Hand and Seal to commit ſuch Offender to the Common Gaol for the County of *Middleſex*, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Fine, Penalty or Forfeiture, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Remedy of Perſons aggrieved by Irregularity of Diſtreſs.

LXXII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor ſhall the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

LXXIII. And for the more eaſy and ſpeedy Conviction of Offenders againſt this Act; be it further enacted, That every Juſtice of the Peace before

before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form, *videlicet*:

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord is convicted before me one of His Majesty's Justices of the Peace for the County of (*specifying the Offence, and the Time and Place when and where committed, as the Case may be*), contrary to an Act of Parliament passed in the Fiftieth Year of the Reign of King *George* the Third, intituled, [*here set forth the Title of this Act.*] Given under my Hand and Seal the Day and Year first above mentioned.'

Allowing an Appeal.

LXXIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgement made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by any Order, Judgement, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained; then, and in such Case he, she, or they may within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions to be holden in and for the said County of *Middlesex*, (first giving Fourteen Days Notice of such Appeal to the Person or Persons appealed against, and of the Nature thereof, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order and Award of the said Court thereon), and the said Justices shall upon due Proof of such Notice and Recognizance having been given and entered into, either hear and determine the said Appeal at such General Quarter Sessions, or if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be holden for such County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination; and may also order and award such further Satisfaction to be made to the Party injured, as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act, shall be quashed or vacated for want of Form, or be removed by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere, any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed or unlawful for Want of Form.

Plaintiffs not to recover without Notice, or after Tender of Amends.

LXXV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against the said Company, or any Person or Persons acting under the Direction of the said Company, or their Directors, for any Thing done in pursuance and by the Authority of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-one Days before such Action be commenced of such intended Action signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought, and in case no such Tender

shall

ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by Leave of the Court, after ſuch Action ſhall have been brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money, as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order and Judgment, ſhall be made and given in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXXVI. And be it further enacted, That if any Action or Actions ſhall be brought or commenced againſt the ſaid Company, or any Perſon acting under the Direction of the ſaid Company or their Directors, for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought or commenced within Three Calendar Months next after the Fact committed; or in caſe there ſhall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing ſuch Damage ſhall have ceaſed, and not afterwards, and ſhall be laid and brought in the ſaid County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, on any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought before Twenty-one Days Notice ſhall have been given, or after Satisfaction made or tendered as aforeſaid, or after the Time ſo limited for bringing the ſame, or in any other County or Place than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant hath for Coſts of Suit in other Caſes by Law.

Publick Act.

LXXVII. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others, without being ſpecially pleaded.

The SCHEDULE to which this Act refers.

IN THE PARISH OF SAINT MARY, ISLINGTON, IN THE COUNTY OF MIDDLESEX.

PREMISES.	OWNERS.	OCCUPIERS.
Grafs Land - -	James Hunter - -	James Hunter.
Dwelling Houfe, Garden and Grafs Land -	Charles Depree - -	Charles Depree.
Dwelling Houfe and Garden	Samuel Hilliard - -	Samuel Hilliard.
Ditto - -	Ditto - - -	Thomas Simpfon.
Ditto - -	Ditto - - -	Thomas Hodge.
Ditto - -	Ditto - - -	Samuel Cain.
Ditto - -	Ditto - - -	George Skinner.
Ditto - -	Ditto - - -	Thomas Plomer Lewis.
Ditto - -	Ditto - - -	William Hilliard.
Grafs Land - -	Mary Woodyear -	Thomas Godfon.
Grafs and Garden Land -	Charles Cauſton -	William Whitton.
Grafs Land - -	The Executors of the late David Duveluz, deceafed -	Peter Duveluz.
Dwelling Houfe, Outhoufe, and Yard -	Ditto - -	Samuel Atkins.
Grafs Land - -	Philip Norman -	Wm. Abud.
Ditto - -	Charles Cauſton -	Samuel Atkins.
Ditto - -	George Longman -	George Longman.
Ditto - -	Thomas Jones - -	George Stringer.
Highgate Common -	The Biſhop of London -	Perſons intitled to Right of Common thereon.
Woodland - -	Ditto - - -	Edward Auſtin.
Grafs Land - -	John Addiſon - -	John Addiſon.

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